

CHAPTER 42

AN ACT

HB 4013

Relating to youth homelessness; creating new provisions; amending ORS 350.300 and 418.475 and section 1, chapter 531, Oregon Laws 2021; and prescribing an effective date.

Be It Enacted by the People of the State of Oregon:

**UNACCOMPANIED HOMELESS YOUTH
GRANT PROGRAM**

SECTION 1. Section 1, chapter 531, Oregon Laws 2021, is amended to read:

Sec. 1. (1) As used in this section, “unaccompanied homeless youth” means a person who is at least 14 years of age but not more than 24 years of age, who is not in the physical custody of a parent or legal guardian and who is homeless.

(2) In addition to any other scholarships or grants, the Department of Human Services may award two-year grants to organizations that provide services to unaccompanied homeless youth.

[(3) An organization is eligible to apply for a grant under this section if the organization has an existing grant with the department to provide services to unaccompanied homeless youth.]

(3) The department may award a grant under this section to an organization that:

(a) Has an existing grant from the department to provide services to unaccompanied homeless youth;

(b) Has an existing contract with the department to provide services to unaccompanied homeless youth and the department has determined that the organization is capable of expanding to provide services in additional communities;

(c) Is a nonprofit organization or a coalition of nonprofit organizations that the department has determined is capable of meeting the grant program requirements; or

(d) Is a new entity that the department determines is capable of meeting the grant program requirements.

(4) Grants awarded under this section may be used for any of the following:

(a) To increase the accessibility of any of the following programs and services to unaccompanied homeless youth:

(A) Shelter facilities;

(B) Outreach;

(C) Culturally specific services; and

(D) Mental health or substance abuse services; and

(b) To create or strengthen partnerships with host home programs and other transitional housing options.

(5) The department may adopt rules to administer the grant program described in this section.

TUITION AND FEE WAIVERS

SECTION 2. ORS 350.300 is amended to read:
350.300. (1) Notwithstanding ORS 341.290, 352.105 or 353.050, a **student who is a current foster child or former foster child or a current homeless youth or former homeless youth**, under 25 years of age *[who is]* and enrolled in courses totaling one or more credit hours at an institution of higher education as an undergraduate student shall have the amount of tuition and all fees levied against the student waived if attending an institution of higher education for purposes of pursuing an initial undergraduate degree.

(2) A student *[who is a current foster child or former foster child]* is entitled to waiver of tuition and all fees under subsection (1) of this section until the student has received the equivalent of four years of undergraduate education.

(3) As a condition of receiving a tuition waiver for an academic year, *[a current foster child or former foster child]* **the student** must complete and submit the Free Application for Federal Student Aid (FAFSA) for that academic year.

(4) A waiver of tuition and all fees under subsection (1) of this section may be reduced by the amount of any federal aid scholarships or grants, an award from the Oregon Opportunity Grant program established under ORS 348.205 and any other aid received from the institution of higher education. For the purposes of this subsection, “federal aid scholarships or grants” does not include Chafee *[Education]* **Educational** and Training *[Grant vouchers (P.L. 107-133)]* **Voucher Program grants under 42 U.S.C. 677.**

(5) As used in this section:

(a) “Former foster child” means an individual who, for a total of six or more months while between 14 and 21 years of age, was:

(A) A ward of the court pursuant to ORS 419B.100 (1)(b) to (e), in the legal custody of the Department of Human Services for out-of-home placement and not dismissed from care before reaching 16 years of age; or

(B) An Indian child subject to ORS 419B.600 to 419B.654, under the jurisdiction of a tribal court for out-of-home placement and not dismissed from care before reaching 16 years of age.

(b) “Homeless youth” means a person who:

(A) **Experienced homelessness for a total of six or more months while between 14 and 24 years of age;**

(B) **While experiencing homelessness as described in subparagraph (A) of this paragraph, received services from an organization contracted by the Department of Human Services to provide services to homeless persons or from a host home, as defined by the department by rule; and**

(C) Was at least 16 years of age when the person last received the services described in subparagraph (B) of this paragraph.

[(b)] (c) “Institution of higher education” means:

(A) A public university listed in ORS 352.002;

(B) A community college operated under ORS chapter 341; or

(C) The Oregon Health and Science University.

SECTION 3. The amendments to ORS 350.300 by section 2 of this 2022 Act first apply to tuition and fee waivers granted for the 2022-2023 academic year.

INDEPENDENT RESIDENCE FACILITIES

SECTION 4. ORS 418.475 is amended to read:

418.475. (1) Within the limit of moneys appropriated therefor, the Department of Human Services may establish, license, certify or authorize independent residence facilities for unmarried persons who:

(a)(A) Are at least 16 years of age and not older than 20 years of age;

[(b)] (B) Have been placed in at least one substitute care resource;

[(c)] (C) Have been determined by the department to possess the skills and level of responsibility required for the transition to adulthood;

[(d)] (D) Have received permission from the appropriate juvenile court, if they are wards of the court; and

[(e)] (E) Have been determined by the department to be suitable for an independent living program[.]; or

(b)(A) Are at least 16 years of age and not older than 24 years of age;

(B) At any time after attaining 14 years of age experienced homelessness for an aggregate of six months;

(C) While experiencing homelessness as described in subparagraph (B) of this paragraph, received services from an organization contracted by the department to provide services to homeless persons or from a host home, as defined by the department by rule; and

(D) Last received the services described in subparagraph (C) of this paragraph after attaining 16 years of age.

(2) Independent residence facilities shall provide independent housing arrangements with counseling services and minimal supervision available from at least one counselor.

(3) Each resident shall be required to maintain a department approved independent living plan consisting of education, employment or volunteer activities, or a combination thereof, and shall be required to pay a portion or all of the resident’s housing expenses and other support costs. The department may approve an exception to the requirements of this subsection for reasons of temporary loss of employment or of other financial support.

(4) The department may make payment grants directly to persons enrolled in an independent living program who, at a minimum, meet the requirements described in subsection **[(1)(a) to (c)] (1)(a)(A) to (C) or (b)** of this section for food, shelter, clothing, transportation and incidental expenses. The payment grants shall be subject to an agreement between the person and the department that establishes a budget of expenses.

(5) The department may establish cooperative financial management agreements with a person enrolled in an independent living program and for that purpose may enter into joint bank accounts requiring two signatures for withdrawals. The management agreements or joint accounts may not subject the department or any counselor involved to any liability for debts or other responsibilities of the *[minor]* person.

(6) The department shall make periodic reports to the juvenile court as required by the court regarding any ward of the court who is enrolled in an independent living program.

(7) The enrollment of a person in an independent living program in accordance with the provisions of subsection (1) of this section or making payment grants under subsection (4) of this section does not remove or limit in any way the obligation of the parent of the person to pay support as ordered by a court under the provisions of ORS 419B.400.

REPORT TO LEGISLATIVE ASSEMBLY

SECTION 5. In its 2022 report to the interim legislative committees required under ORS 417.799, the Department of Human Services shall include recommendations for legislation to reduce the numbers of youth experiencing homelessness by at least 25 percent over a five-year period. The department shall develop the recommendations under this section in consultation with the Housing and Community Services Department. The recommendations must include descriptions of new programs to address youth homelessness or options for extending access to existing adult programs to youth, together with estimates of additional funding necessary to implement or extend the proposed programs. The report must also include a projected 20-year estimate of cost savings to state and local health, education, corrections and public safety programs if the 25 percent reduction in youth homelessness over five years is achieved.

APPROPRIATIONS

SECTION 6. (1) In addition to and not in lieu of any other appropriation, there is appropriated to the Department of Human Services, for the biennium ending June 30, 2023, out of the General Fund, the amount of \$437,500 for the pur-

pose of awarding grants under section 1, chapter 531, Oregon Laws 2021, to organizations described in section 1 (3)(b), (c) or (d), chapter 531, Oregon Laws 2021, that will provide services in communities where services for unaccompanied homeless youth are severely constrained or absent.

(2) In addition to and not in lieu of any other appropriation, there is appropriated to the Department of Human Services, for the biennium ending June 30, 2023, out of the General Fund, the amount of \$35,000 for the purpose of providing grants to programs that will assist homeless youth in accessing the tuition and fee waiver program under ORS 350.300 or the homeless youth independent residence facility program under ORS 418.475.

(3) In addition to and not in lieu of any other appropriation, there is appropriated to the Department of Human Services, for the biennium ending June 30, 2023, out of the General Fund, the amount of \$750,000 for the purpose of imple-

menting the provisions relating to the homeless youth independent residence facilities program under ORS 418.475.

MISCELLANEOUS

SECTION 7. Section 5 of this 2022 Act is repealed on January 2, 2023.

SECTION 8. The unit captions used in this 2022 Act are provided only for the convenience of the reader and do not become part of the statutory law of this state or express any legislative intent in the enactment of this 2022 Act.

SECTION 9. This 2022 Act takes effect on the 91st day after the date on which the 2022 regular session of the Eighty-first Legislative Assembly adjourns sine die.

Approved by the Governor March 23, 2022
 Filed in the office of Secretary of State March 30, 2022
 Effective date June 3, 2022